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~~APR 09 2003~~

To: Examiner Michael Peffley, USPTO
Telephone: 703 308-4305 **Fax:** 703 872-9306

From: Paul Davis
Telephone: (650) 324-7041

No. of Pages: 22 (including cover)
Date: 4983/39238-0752

Message:

In re application of: Stem
Serial No.: 10/072,475
Filed: 02/06/2002
For: Handpiece for Treatment of Tissues

OFFICIAL FILING

PLEASE DELIVER TO EXAMINER PEFFLEY, GROUP 3739

SV 447475 v1
4/8/05 11:42 AM (39238.0752)

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PTO/SB/21 (6-99)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/072,475
		Filing Date	02/06/2002
		First Named Inventor	Stern
		Group/Art Unit	3739
		Examiner Name	Peffley, Michael F.
Total Number of Pages in This Submission	21	Attorney Docket Number	39238-0753

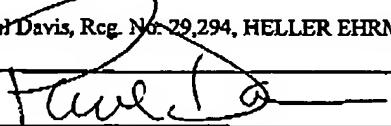
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> Exhibits <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Status Claimed <input type="checkbox"/> Statement under 3.73(b)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <small>stamped return postcard</small>	

Remarks

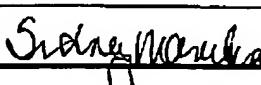
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Paul Davis, Reg. No. 29,294, HELLER EHRLMAN WHITE & McAULIFFE LLP		
Signature			
Date	April 8, 2005	Customer Number:	25213

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via facsimile to (703) 872-9306 and addressed to: Examiner Peffley, U.S. Patent and Trademark Office, on the date indicated below..

Typed or printed name	Sidney Manibusan		
Signature		Date	April 8, 2005

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**COMBINED FEE TRANSMITTAL
for FY 2005**

Effective 12/08/2004. Patent fees are subject to annual revision.

PTO/SB/17 (12-04) (Revised) (For payment of 37 CFR 1.17 fees including (f), (g), (h), & (l))

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)***Complete if Known*

Application Number	10/072,475
Filing Date	02/06/2002
First Named Inventor	Stern
Examiner Name	Peffley, Michael F.
Art Unit	3739
Attorney Docket No.	39238-0753

METHOD OF PAYMENT (check one)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
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Deposit Account Number: 08-1641

Deposit Account Name: Heller Ehrman White & McAuliffe LLP

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments and charge any deficiencies Charge any additional fee(s) during the pendency of this application Charge fee(s) indicated below, except for the filing fee to the deposit account**FEE CALCULATION (continued)**

4. PETITION FEES UNDER 37 CFR 1.17 (f) Fee Code: 1462 Fee \$ 400 For petitions filed under: § 1.53(e); § 1.57(a); § 1.182; § 1.183; § 1.378(e); § 1.741(b)	<input type="checkbox"/> Fee Paid
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5. PETITION FEES UNDER 37 CFR 1.17 (g) Fee Code: 1463 Fee \$ 200 For petitions filed under: § 1.12; § 1.14; § 1.47; § 1.59; § 1.103(a); § 1.136(b); § 1.295; § 1.296; § 1.377; § 1.550(c); § 1.956; § 5.12; § 5.15; § 5.25	<input type="checkbox"/> Fee Paid
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6. PETITION FEES UNDER 37 CFR 1.17 (h) Fee Code: 1464 Fee \$ 130 For petitions filed under: § 1.19(e); § 1.84; § 1.91; § 1.102(d); § 1.138(c); § 1.313; § 1.314	<input type="checkbox"/> Fee Paid
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7. PROCESSING FEES UNDER 37 CFR 1.17 (i) Fee Code: 1808 (1803 for § 2.221) Fee \$ 130 For petitions filed under: § 1.28(c)(3); § 1.41; § 1.48; § 1.52(d); § 1.53(b)(3); § 1.55; § 1.99(c); § 1.103(b); § 1.103(c); § 1.103(d); § 1.217; § 1.221; § 1.291(c)(5); § 1.497(d); § 3.81	<input type="checkbox"/> Fee Paid
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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

	FILING FEES		SEARCH FEES		EXAMINATION FEES			Entity Fee (\$)	Entity Fee (\$)	Fee Description	Fee Paid
Application Type	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)	130	65	Surcharge - late filing fee or oath	
Utility	300	150	500	250	200	100		50	25	Surcharge - late provisional filing fee or cover sheet	
Design	200	100	100	50	135	65		130	130	Non-English specification	
Plant	200	100	300	150	160	80		2,520	2,520	For filing a request for ex parte reexamination	
Reissue	300	150	500	250	600	300		920*	920*	Requesting publication of SIR prior to Examiner action	
Provisional	200	100	0	0	0	0		1,840*	1,840*	Requesting publication of SIR after Examiner action	
	SUBTOTAL (1)		\$ 0					120	1,020	Extension for reply within first month	
								510	510	Extension for reply within second month	
								1,590	795	Extension for reply within third month	

2. EXTRA CLAIM FEES

Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
50	25	Each claim in excess of 20 or, for Reissues, each claim in excess of 20 and more than in the original patent
200	100	Each independent claim in excess of 3 or, for Reissues, each independent claim more than in the original patent
360	180	Multiple dependent claim, if not already paid
		Fee from above
Total Claims	-20** =	x =
Independent Claims	-3*** =	x =
Multiple Dependent		=
	SUBTOTAL (2)	
	\$ 0	

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof (round up to the a whole number). See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(g).

Total Sheets	Extra Sheets	Number of each additional 50	Fee (\$)	Small Entity Fee (\$)			SUBTOTAL (4+5+6+7+8)	\$ 120
-100 =	/50 =	50	x 250 OR	x 125				

* Reduced by Basic Filing Fee Paid

SUBMITTED BY				Complete (if applicable)
Name (Print/Type)	Paul Davis	Registration No. (Attorney/Agent)	29,294	Telephone 650 324-7041

Practitioner's Docket No. 39238-0753

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

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In re application of: Stern

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Introductory Comments

Responsive to the office action mailed 01/03/2005, please consider the following amendments and remarks.

Claims listing begins on page 2 of this paper.

Remarks begin on page 18.